

MANDATE

S.D.N.Y. - N.Y.C.
07-cv-5840
Batts, J.

United States Court of Appeals
FOR THE
SECOND CIRCUIT

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, in the City of New York, on the 30th day of November, two thousand seven,

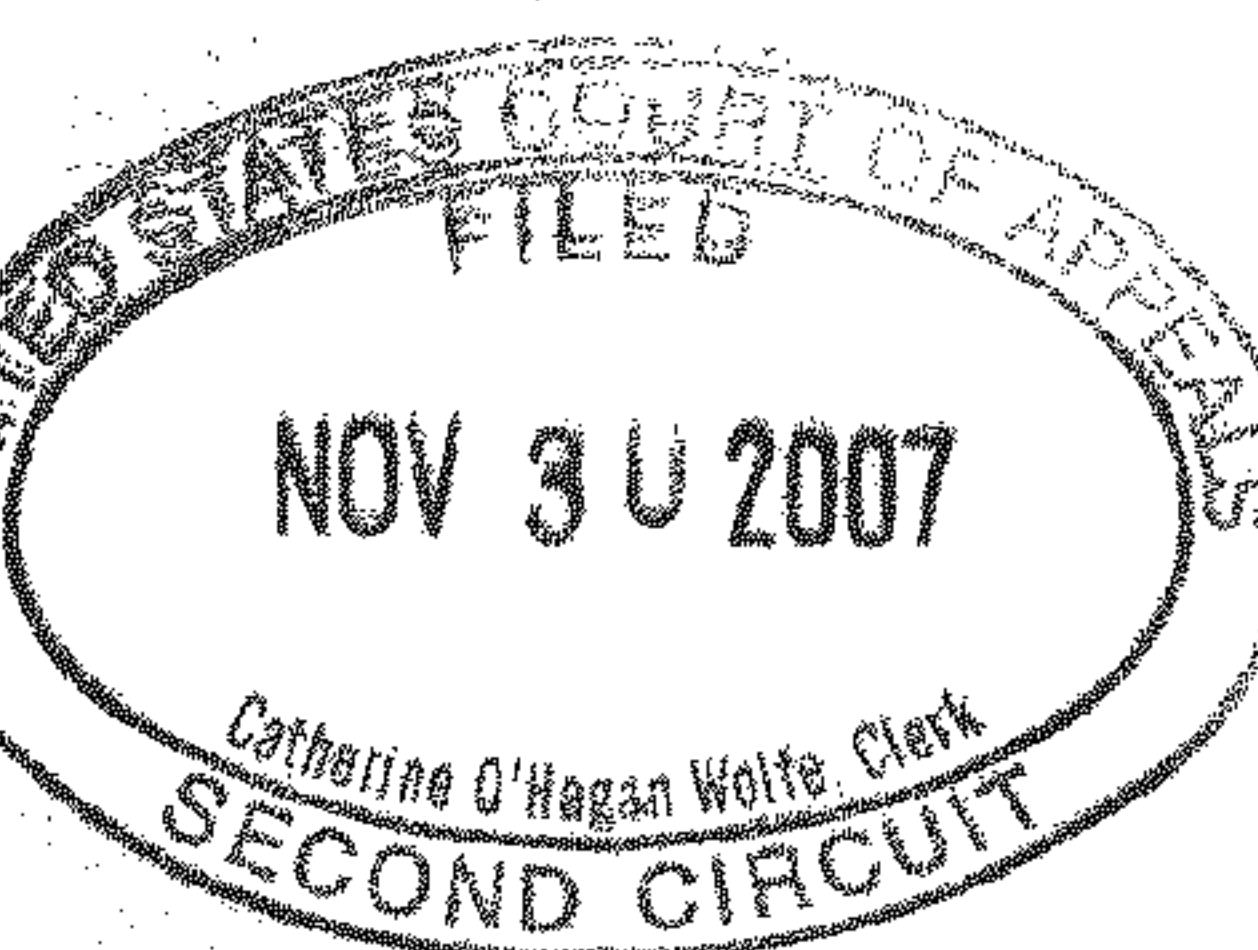
Present:

Hon. Dennis Jacobs,
Chief Judge,
Hon. Barrington D. Parker,
Hon. Richard C. Wesley,
Circuit Judges.

Kemorley Joseph Scott,

Plaintiff-Appellant,

v.



07-3164-pr

The State of New York Sing Sing Facility,

Defendant-Appellee.

Appellant, *pro se*, moves for leave to proceed *in forma pauperis*. Upon due consideration, it is hereby ORDERED that the motion is DENIED and the appeal is DISMISSED because it lacks an

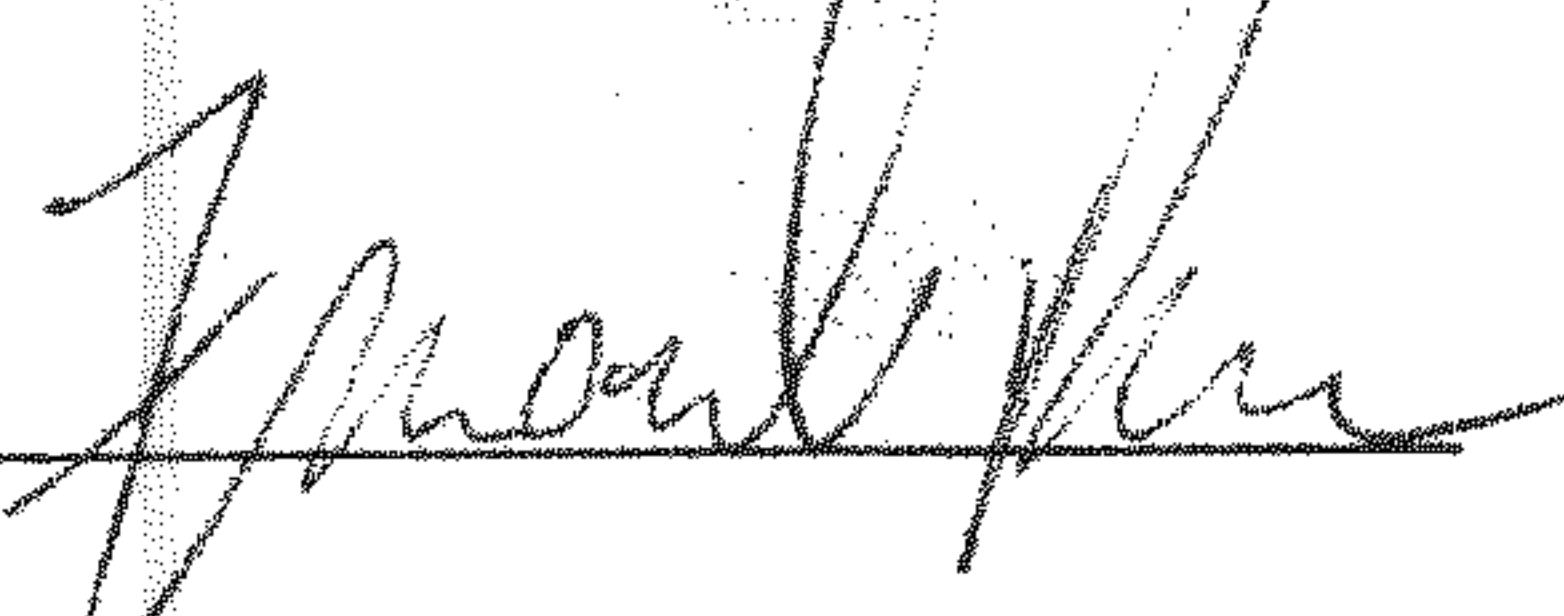
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Issued as Mandate:

JAN 4 2008

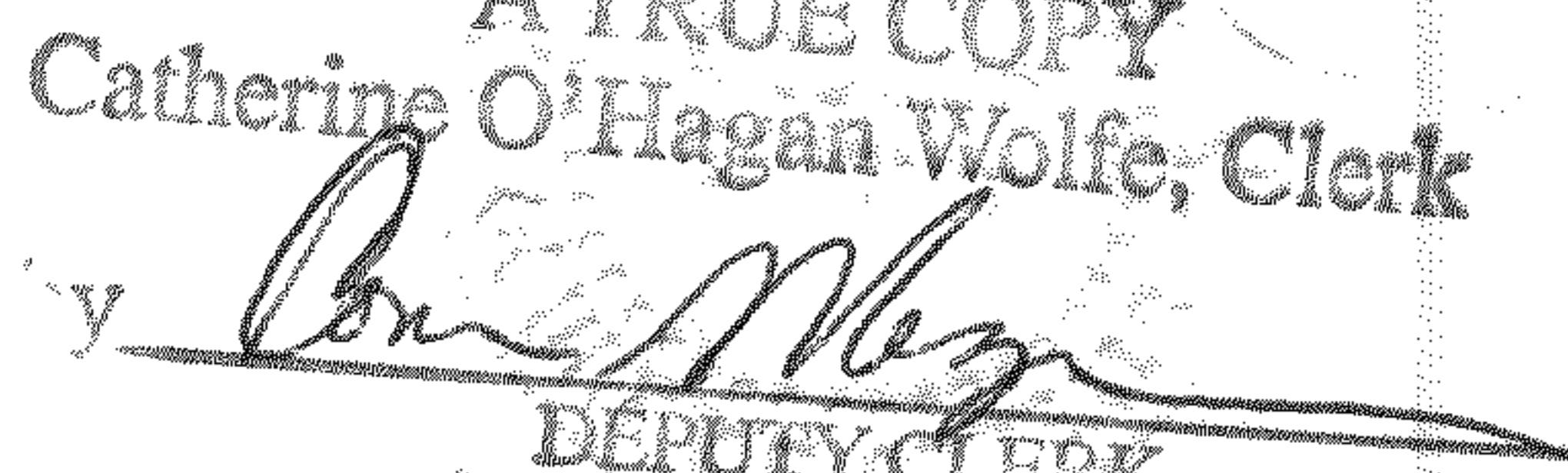
arguable basis in law or fact. *See Neitzke v. Williams*, 490 U.S. 319, 325 (1989); 28 U.S.C. § 1915(e).

FOR THE COURT:
Catherine O'Hagan Wolfe, Clerk

By: 

1/10/08 3:0 2007.

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A TRUE COPY
Catherine O'Hagan Wolfe, Clerk

DEPUTY CLERK

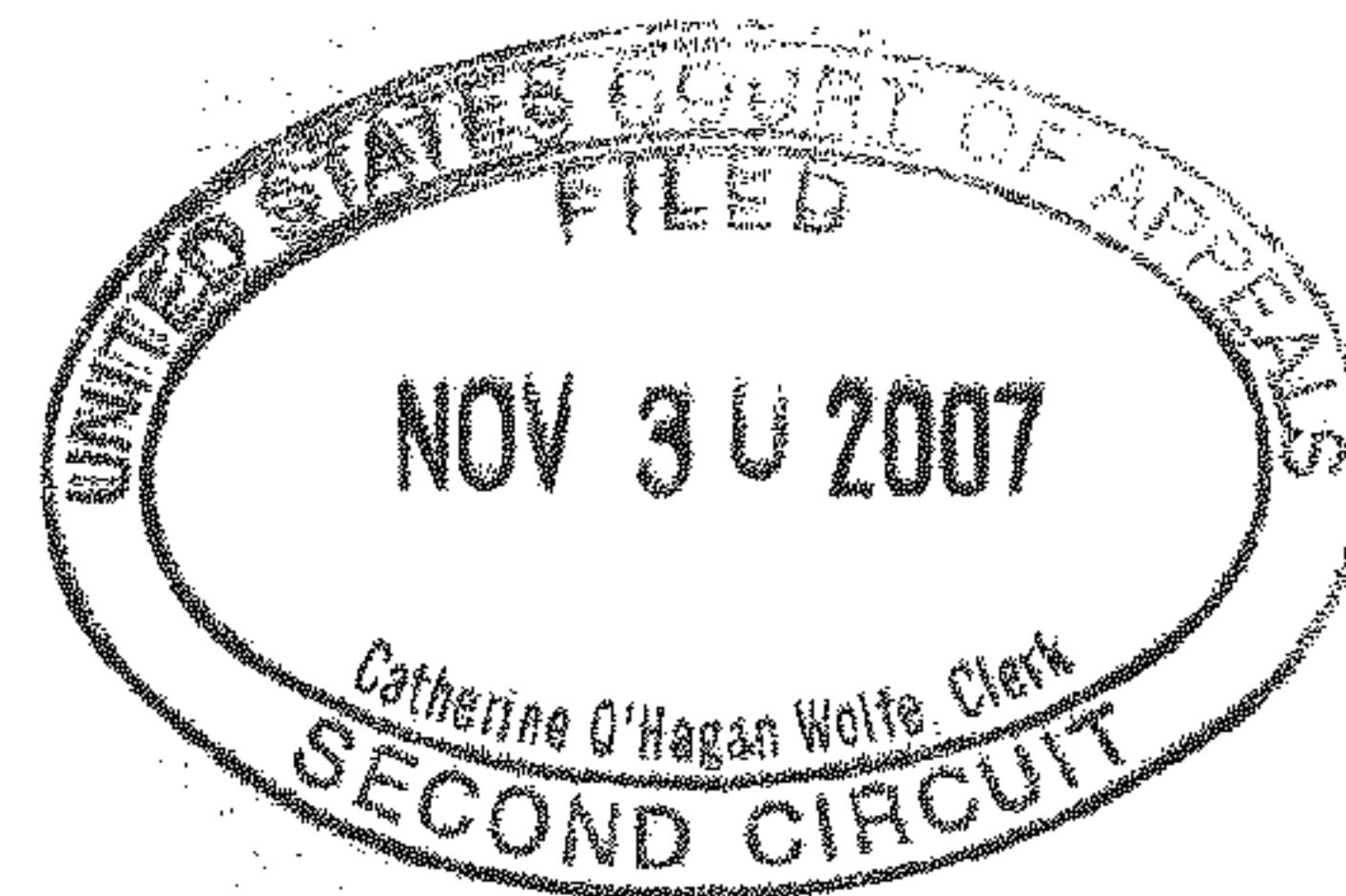
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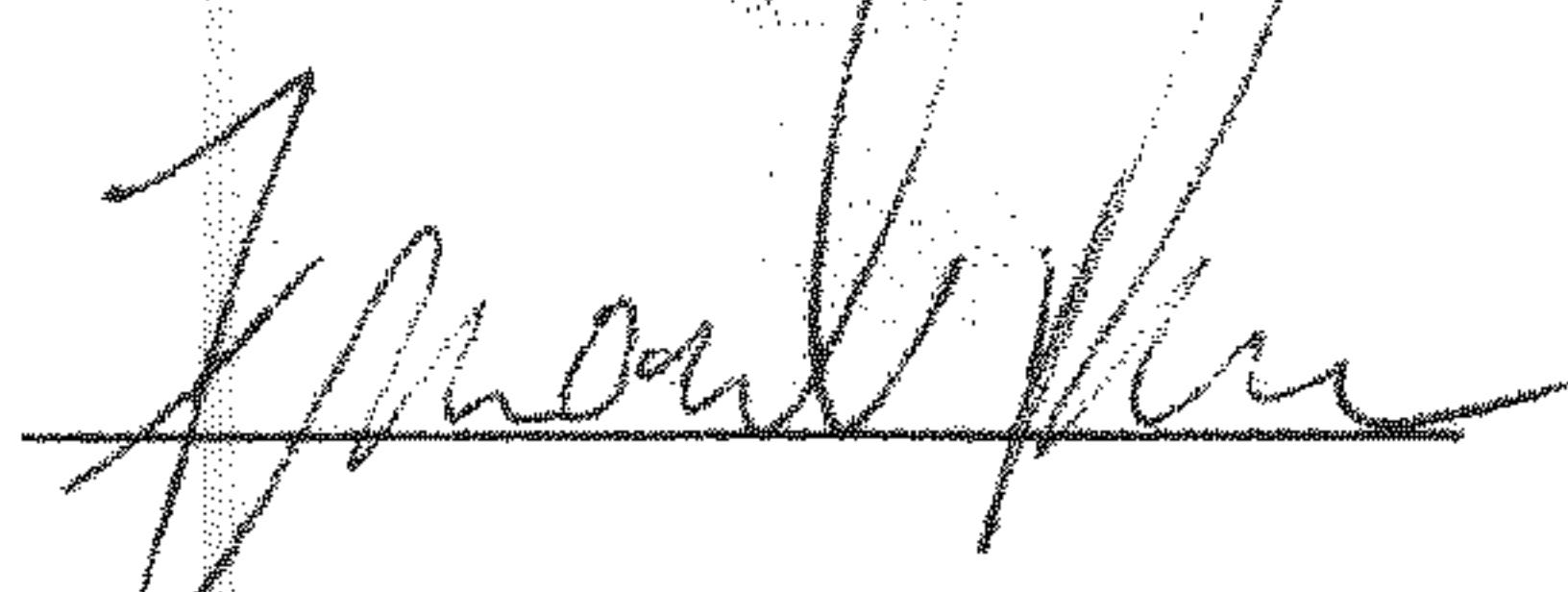
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FOR THE COURT:
Catherine O'Hagan Wolfe, Clerk

By: 

January 30 2007.

SAC-MML

THE MANDATE CONSISTING OF
ITEMS BELOW, HAS BEEN RECEIVED
 OPINION STATEMENT OF COSTS
 ORDER

RECEIVED BY: _____ DATE: _____